

Brent O. Hatch (5715)  
Mark F. James (5295)  
HATCH, JAMES & DODGE LLP  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Telephone: (801) 363-6363  
Facsimile: (801) 363-6666

Stuart H. Singer (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
401 East Las Olas Boulevard – Suite 1200  
Ft. Lauderdale, Florida 33301  
Telephone: (954) 356-0011  
Facsimile: (954) 356-0022

*Attorneys for The SCO Group, Inc.*

Robert Silver (admitted pro hac vice)  
Edward Normand (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300

Stephen N. Zack (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
Bank of America Tower – Suite 2800  
100 Southeast Second Street  
Miami, Florida 33131  
Telephone: (305) 539-8400  
Facsimile: (305) 539-1307

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**NOTICE OF CONVENTIONAL  
FILING OF EXHIBITS TO SCO'S  
MEMORANDUM IN SUPPORT OF  
SCO'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT ON IBM'S  
SIXTH, SEVENTH, AND EIGHTH  
COUNTERCLAIMS**

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

**PLEASE TAKE NOTICE THAT** Plaintiff has conventionally filed the original and two copies of the following documents:

1. General Public License
2. Declaration of Erik Hughes (12/7/04)
3. Erik Hughes Deposition Transcript (5/11/04) at 16, 37, 48, 51, 53, 57, 67, 72-73
4. Chris Sontag Deposition Transcript (5/12/04) at 208-209, 211, 221-223
5. Declaration of Chris Sontag (11/30/04)
6. Erik Hughes Deposition Transcript (3/2/06) at 179, 181-182, 186, 188-189, 190-191, 194-195, 200-201
7. Erik Hughes Deposition Transcript (11/1/05) at 37-38, 60, 121

These documents have not been filed electronically because:

- ☐ it cannot be converted to electronic format
- ☐ the electronic file size of this material exceeds 2 megabytes (MB)
- ☐ the Court by order has excused electronic filing
- ☒ it is exempt from electronic filing pursuant to § F(4)(e) of the ECF Policy & Procedures Manual (*sealed document*)

These documents have been served conventionally on all parties.

DATED this 25th day of September, 2006.

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

BOIES, SCHILLER & FLEXNER LLP

Robert Silver

Stuart H. Singer

Stephen N. Zack

Edward Normand

By: /s/ Brent O. Hatch  
*Counsel for The SCO Group, Inc.*

**CERTIFICATE OF SERVICE**

Plaintiff, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing was served on Defendant International Business Machines Corporation on the 25th day of September, 2006, by CM/ECF to the following:

David Marriott, Esq.  
Cravath, Swaine & Moore LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, New York 10019

Donald J. Rosenberg, Esq.  
1133 Westchester Avenue  
White Plains, New York 10604

Todd Shaughnessy, Esq.  
Snell & Wilmer LLP  
1200 Gateway Tower West  
15 West South Temple  
Salt Lake City, Utah 84101-1004

/s/ Brent O. Hatch\_\_\_\_\_